

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, <i>et al.</i> ,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	Case No. 1:18-CV-68
	§	
UNITED STATES OF AMERICA, <i>et al.</i> ,	§	
	§	
Defendants,	§	
	§	
and	§	
	§	
KARLA PEREZ, <i>et al.</i> ,	§	
	§	
Defendant-Intervenors,	§	
and	§	
	§	
STATE OF NEW JERSEY	§	
	§	
Defendant-Intervenor.	§	

**PEREZ DEFENDANT-INTERVENORS’ CONSENT TO PLAINTIFF STATES’
MOTION TO SUBSTITUTE STATE OF MISSISSIPPI**

Defendant-Intervenors Karla Perez, et al. (“Defendant-Intervenors”) respectfully retract their opposition to the Plaintiff States’ Motion to Substitute, Dkt. 464. When presented with the request to consent, there was no definitive statement provided that Mississippi had taken the proper steps to authorize the suit under state law. However, Mississippi Attorney General Lynn Fitch’s appearance on behalf of Mississippi in the Motion to Substitute suggests that the State is authorized to sue under Mississippi law, *see* Miss. Code Ann. § 7-5-1 (Mississippi’s attorney general “is charged with managing all litigation on behalf of the state” and “is given sole power to bring or defend a lawsuit on behalf of a state agency, the subject matter of which is of statewide interest”). As Defendant-Intervenors assume that Mississippi Attorney General Fitch’s appearance does

suggest the State is authorized to sue under Mississippi law, Defendant-Intervenors accordingly withdraw their opposition on that ground. Defendant-Intervenors maintain, however, that this withdrawal of opposition to the change in the name of the party is without prejudice to Defendant-Intervenors' continued argument that Mississippi lacks standing to challenge DACA, and that Mississippi has provided no evidence of any harm that would support its standing.

CONCLUSION

For the foregoing reasons, Defendant-Intervenors respectfully retract their opposition to Plaintiff States' Motion to Substitute.

Dated: August 14, 2020

Respectfully Submitted,

**MEXICAN AMERICAN LEGAL
DEFENSE AND EDUCATIONAL FUND**

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that, on August 14, 2020, I electronically filed the above and foregoing document using the CM/ECF system, which automatically sends notice and a copy of the filing to all counsel of record.

/s/ Nina Perales

Nina Perales

Attorney for Defendant-Intervenors